

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Prisons Department - NHRC Case No.296/1/7/2009-10-JCD - Death of Undertrial Prisoner No.8044, Mudi Benjimen @ Venkaiah, involved in Crime No.71/2009 – National Human Rights Commission recommended to pay an sum of Rs.3,00,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

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**HOME (PRISONS-HRC) DEPARTMENT**

**G.O.RT.NO. 1198**

**DATED:14-05-2013**

**Read the following:**

- 1.From Assistant Registrar (Law), NHRC, Show Cause Notice No.296/1/7/2009-10-JCD, dated 17-01-2013.
- 2.From Director General of Prisons & Correctional Services, A.P., Hyderabad, Letter No.Jud-3/913/2009, dated 22-02-2013 addressed to the NHRC.
- 3.Government Letter No.2598/Pri.HRC/2013-2, dated 07-03-2013.
- 4.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, Letter No. 296/1/7/2009-10-JCD, dated 23-03-2013/05-04-2013 received in the Department on 20-04-2013.

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**ORDER:**

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18 (a) (i) of Protection of Human Rights Act, 1993 to the Government to show cause as to why monetary relief should not be recommended to be paid to the next kin of the Undertrial Prisoner No.8044, Mudi Benjimen @ Venkaiah.

2. In the reference second read above, the Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad has furnished reply to the Show Cause Notice directly to the National Human Rights Commission, New Delhi marking a copy to the Government. Accordingly, the Government vide letter third read above also furnished a copy of the detailed report to the National Human Rights Commission for placing the same before the Hon'ble Commission.

3. In the reference fourth read above, the Assistant Registrar (Law), National Human Rights Commission, New Delhi has stated that the Director General of Prisons & Correctional Services, A.P., Hyderabad and the Government of Andhra Pradesh has sent a reply to the show cause notice that from Magisterial Enquiry Report and Chief Medical Officer's Report it is established that there was no negligence on the part of prison officials in providing treatment. However he has not responded on the finding of medical negligence, and has stated that the National Human Rights Commission may decide the relief to the next

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kin of the deceased prisoner. The Commission has also observed that as there was medical negligence by the doctors of State Medical Department that resulted in the death of the prisoner, the State of Andhra Pradesh should be vicariously held liable. Hence, the Commission recommended the State Government to make payment of Rs.3.00 lakhs (Rupees three lakhs only) as monetary relief to the next kin of late Mudi Benjimen @ Venkaiah. The Government was also directed to send the proof of payment made to the next kin of the deceased within eight weeks i.e., by 25-05-2013 for placing the same before the Hon'ble Commission."

4. The Government after careful examination, hereby accord sanction for an amount of Rs.3,00,000/- (Rupees three lakh only) towards payment of compensation to the legal heirs of the deceased Undertrial Prisoner No.8044, Mudi Benjimen @ Venkaiah who expired on 20-07-2009 as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in para (4) above shall be met from provision available under the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan)".

6. The Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para 4 above and to place at the disposal of the Collector & District Magistrate, Nalgonda for making payment to the legal heirs of the Undertrial Prisoner No.8044, Mudi Benjimen @ Venkaiah and submit the proof of payment to the Government within 15 days from the date of receipt of the G.O.

7. The Director General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

8. This order issues with the concurrence of Finance (Exp.Home) Department, vide their UO No.11998/224/Exp.Home.II/2013 dated:10-05-2013.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**PRABHAKAR D.THOMAS**  
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

The Director General of Prisons and Correctional Services, A.P.,  
Hyderabad.

The Collector & District Magistrate, Nalgonda.

The Joint Registrar (Law), National Human Rights Commission,  
Faridkot House, Copernicus Marg, New Delhi.

The Accountant General, (A&E), A.P., Hyderabad.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

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Copy to:

The General Administration (HRC) Department.

The Finance (Exp.Home) Department.

The Finance (BG) Department.

SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**